

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

OCTOBER 7, 2008

The following is a summary of the October 7, 2008 Meeting:

- I. Meeting called to order at 9:01 AM by Frank Linkous, Chairman. Members present were Gerald Kendrick, Arvil McConnell, Jr. and Ricky O'Quinn. Member Joseph Buchanan was absent from the meeting. Also present were Sharon Pigeon, Senior Assistant Attorney General and Mary Gibson, Regulatory Boards Administrator.**
- II. Opening statement delivered by Frank Linkous, Chairman**
- III. Motions made and seconded to accept October 7, 2008 meeting agenda and approve September 2, 2008 meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

V. Open Agenda

Discussion was had regarding electrical training examination and certification for miners and letter presented by Alpha Natural Resources requesting assistance from DM. Discussion was also had regarding the proposed rule by the Department of Labor regarding Alcohol and Drug Free Miners: Policy, Prohibitions, Testing, Training and Assistance. The deadline for submitting comments on the proposed rule has been extended until October 28, 2008. Board members were provided a spreadsheet showing the total number of substance abuse cases which have been before the Board within the past year.

VI. Next Meeting

Next meeting will be November 4, 2008.

VII. Adjournment

Meeting adjourned at 1:10 PM.